

**BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON
BOARD MEETING MINUTES
December 14, 2009**

The Board of County Commissioners for Lewis County, Washington met in regular session on Monday, December 14, 2009, at 10:00 a.m. **COMMISSIONERS RON AVERILL, P.W. SCHULTE and F. LEE GROSE** were in attendance. **Chairman Grose** determined a quorum, called the meeting to order and proceeded with the flag salute. **Commissioner Schulte** moved to approve the minutes from the 10:00 a.m. meeting held on Monday, December 7, 2009. **Commissioner Averill** seconded.

Motion Carried 3-0

Chairman Grose noted that we would be going out of order on the Agenda. There is a Notice Item for a proclamation for the Adna HS Football Team. They have a snow delay, so we will hold the Notice Item until they arrive.

Consent

Commissioner Averill made a motion to approve Consent Items two through eleven. **Commissioner Schulte** seconded the motion. Karri Muir, Clerk of the Board read the item into the record.

2. Resolution No. 09-393 Approving medical rates paid for Lewis County non-union employees for 2010.

Archie Smith, Human Resources stated this resolution is due to the fact WCIF changed its insurance rate structure; we had to change our employer contribution structure to match that rate.

Commissioner Averill asked that Mr. Smith explain the situations regarding the unions and that the health package is one of the items we deal with. We are dealing with the non-union members.

Mr. Smith stated the County has 12 collective bargaining agreements, 11 of those are currently open. Four of those have the WCIF insurance , but the rates are being negotiated individually. This is for the non-represented employees. We as Lewis County set those rates.

Commissioner Averill stated as a Board we do not mean to penalize those employees in the unions. When we do these contracts we try to keep as consistent as possible.

3. Resolution No. 09-394 Appointing Lewis County's members to the Chehalis/Centralia Airport Board.

Commissioner Averill stated this resolution approves the appointment of John Spears and Robert Schroeter as Lewis County representatives on the Chehalis-Centralia Airport Board. Both are currently serving on the Board with terms that expire in December 2009. Both individuals have agreed to new terms on the Board.

4. Resolution No. 09-395 Approving the reimbursable mileage rate for Lewis County Employees, effective January 1, 2010.

Commissioner Averill stated this resolution approves a new reimbursable mileage rate for 2010 at \$0.50 per mile. The IRS has adopted this new rate for 2010 and Lewis County historically adopts the IRS mileage rate.

5. Resolution No. 09-396 Authorizing the County Treasurer to sign a memorandum of understanding with the Department of Revenue for the Real Estate Excise Tax Automation Grant Program.

Rose Bowman, Treasurer stated this resolution authorizes the County Treasurer to sign a MOU with the Department of Revenue (DOR) for the implementation of the Electronic Real Estate Tax Program. This grant program was authorized by the Legislature in 2004. Meanwhile we've also been collecting a fee for this same project and that fund holds approximately \$127,000.00. As we begin planning the Electronic Real Estate Tax Project, we realized this dove-tailed with the LC Assessor planned projects the Board previously approved to upgrade the appraisal system. We have been working on merging these two projects. In doing this we are able to use some of the grant funds to cover costs that were originally planned for the Assessor's project. We are hoping to move forward with this project. This is for a \$100,000.00 grant from the DOR that will be merged with the other funds that are already earmarked here in the County. There is no money being asked for at this time.

Commissioner Averill by doing this we hope we will be able to bring it all in at a lower cost.

Ms. Bowman stated this resolution also authorizes the hiring of a temporary grant funded IT employee to make this all happen.

6. Resolution No. 09-397 Approving a lease extension with PUD #1 for use of a radio repeater site in Chehalis.

Rod Lakey, Public Works stated the County entered into a lease for a radio repeater site in 1999, the lease expires this year. This will extend the lease to 2014. PUD sold the property but retained the rights to operate this facility. The terms of the lease have been acceptable since 1999 with no changes in the proposed extension. The annual payment for this lease site is \$360.00 per month.

Commissioner Averill noted that this is one of a number of these sites in Lewis County.

7. Resolution No. 09-398 Approving Rod Lakey as Applicant Agent and Merrilee Kenyon as Alternate Agent/contact for the declared natural disasters of 2006-2009.

Rod Lakey, Public Works stated this resolution appoints the Applicant Agent and Alternate Agent for FEMA for disaster signature authority. This is for disasters declared and future disasters that may happen.

Commissioner Averill stated this is a requirement of federal law. When you work with the Federal Emergency Management Agency, in terms of getting the fees that FEMA agrees to pay, each county must have a designated agent. He noted that the 2006 flood still has projects going on.

Chairman Grose stated we hope we don't have to use the Applicant Agent next year. We already had one disaster in 2009.

8. Resolutions No. 09-399 Approving CRP numbers.

Rod Lakey, Public Works this resolution approves the County Road Projects (CRP's). All the CRP's have been adopted as part of the 2010 STIP. This will establish an official list of the CRP under the 2010 STIP. This is so we can start charging against these projects that we have on the STIP.

Commissioner Averill stated there are about 14 projects that are new. He asked if the old numbers were retained.

Mr. Lakey stated they were the numbers from the years past.

9. Resolution No. 09-400 Rescinding Resolution No. 09-373 and approving the correct amounts for the distribution of funds collected in accordance to RCW 43.185C and RCW 36.22.178.

Tara Smith, Health stated these are the low income housing and homeless housing funds that are collected locally for Lewis County. The changes to the contracts were to Providence Addiction Recovery contract for rental assistance and treatment at an increase of \$1,000.00. For Habitat for Humanity it was an increase for \$500.00. There was also a change in a line item for the Lewis County Shelter Program that kept the amount of their total contract the same, but decreased supplies from \$800.00 to \$750.00.

Commissioner Averill asked for an explanation regarding the funding of these contracts.

Ms. Smith these funds come from the recording fees. The funds have been accumulating for about six years.

Commissioner Averill stated that these funds are restricted to these uses. We left out these items the first time we passed a resolution approving these funds. The amounts for each contract are as follows:

Providence Addiction Recovery	\$ 69,198.00
Habitat for Humanity	\$ 58,500.00
Reliable Place	\$149,000.00
Lewis County Shelter	\$ 60,000.00

10. Resolution No. 09-401 Approving a memorandum of understanding with Lewis County Community Health Partnership.

Tara Smith Health stated this is a MOU that partners Community Network and Lewis County Social Services. LC Social Services are entering into the MOU to act as

the fiscal agent for the network funding of \$10,000.00. They will submit expenses to us for a part time coordinator and supplies. We will be billing the Family Policy Council at the State. There is \$1,000 for an Administration Fee for administering the funds.

Commissioner Averill stated we had another agency that opted out for these funds. We have a new agency that will use the funds. They are new and haven't been in the system long enough to be certified to operate with the Family Policy Council, so the County has been asked to administer the program for them.

11. Resolution No. 09-402 Approving a cash flow loan to the Public Health Fund No. 190.

Dawna Truman, Fiscal stated that the Health Department needs a loan due to the timing of grant reimbursements. This loan is up to \$200,000.00 on an as needed basis. When the money is received on these grant revenues it is repaid. There is no interest on this loan because this is a general governmental fund that the Current Expense Fund normally gives money to this fund.

Commissioner Averill explained that when we make loans we expect interest on them. In this case we have a lot of money that flows through the County from the Federal and State level. We know that the money is coming, but we have to have some money in the account to cover costs until the reimbursement takes place.

Motion carried 3-0

Hearing

Hearing

2009 Comp Plan Amendment

Chairman Grose announced the hearing noting we do Comp Plan Amendments once a year. This year it will include the following items:

- Capital Facilities and Utilities element to adopt school Capital Facility Plans.
- Land Use Elements for a new special use –regional auctioneering facility.
- Land Use map- UGA boundary change for the City of Centralia
- Land Use map-Property owner rezone requests.

He noted the process will be as follows:

- Staff will summarize proposed changes
- Q&A workshop session
- Hearing for Resolution for the LC Comp Plan
- Hearing for Ordinance for the LC County Code
- Hold a workshop to consider testimony and cumulative effects of proposed changes
- Act on Resolution and Ordinance

Commissioner Averill noted that at the Q & A portion, if you have questions, you should come up and ask them during this time. If you are going to testify, you hold that to the hearing portion.

Barb Kincaid, Community Development went over the notice requirements for the hearings and workshops. The reason for two separate hearings is for the Comp Plan Amendments must be first adopted by a resolution. Then those amendments are implemented by the adoption of an Ordinance. That action amends the Lewis County Code (LCC), the zoning maps and development regulations. The first amendment is a map amendment for the Centralia UGA boundary. This would remove approximately 80 acres along the NW portion of Centralia's UGA. This Boundary was adopted in 2008; it was appealed to the Growth Managements Hearing Board (GMHB). This action is part of a stipulated settlement agreement. Centralia submitted a formal letter asking Lewis County to rescind that portion of their adopted UGA boundary. This request went through a review through the Planned Growth Committee during the summer and then went to the Planning Commission for a workshop and public hearing in October. The Planning Commission recommended the 80 acres be removed from the Centralia UGA and this is shown in a Letter of Transmittal from the Planning Commission. If this is approved it changes the official zoning map in Lewis County Code 17.200 by the Ordinance and it changes the land use designation maps.

Commissioner Averill stated the original request had two areas on it, the first was off the Port of Centralia by the river, this is the 80 acres we are taking back out by this action, and then there was another 130/140 acres on the East side of the freeway that was added on, and that stays in.

Ms. Kincaid stated that is correct, we are only revising that portion of the UGA, the 80 acres along the river. This will change the land use designation from urban, in our Comp Plan land use to RDD-20. The Ordinance would then change the zoning map.

Commissioner Averill stated it would be subject to the RDD-20 implementing regulations.

Ms. Kincaid stated the next item is the text amendment for the land use element in the Comp Plan. This adds language that allows the review and potential sighting for a new special use in rural lands of Lewis County. The resolution would add a new policy to the land use element in the Comp Plan. It will read shall provide for the location of unique regional commercial industrial uses along major transportation corridors where urban services are not required for the operation of the facility. Such use shall be designed and sited, to maintain the rural character of the surrounding area. The partner is the change in Ordinance 1210 that will amend LCC's special use permits chapter. It adds a sub element for auctioneer facilities. It also adds a definition for auctioneering that is consistent with RCW 18, businesses and professions to LCC. There is also a matrix, titled "Rural Areas Land Use Zoning Summary"; this adds a new use, a tier three, which is processed through the special use permit process for this new auctioneering use. It sets requirements in that matrix for a permit review process. She noted that the special sub element for the auctioneering facility is in addition to those general conditions that are already part of the special use permit process.

Commissioner Averill stated one of the problems that we have placed on us by law is that we start getting specific about what is and what is not allowed. Things change and opportunities exist and to take advantage we have to change our planning accordingly.

Ms. Kincaid stated the next item is a text amendment to the Capital Facilities and Utilities element. This adopts the specific school Capital Facilities plans that the schools themselves have completed and adopted. This is a requirement under the GMA, that talks about in comprehensive plan counties and cities planning under the GMA, that we do an inventory of all public entities. These basically will give the best information for location, capacity forecasts, financing plans, projected funding, and source of public monies. Previously in that element, the schools had not completed their Capital Facility Plans, but six of them now have. These schools have completed their plans: Onalaska, Chehalis, Centralia, Winlock, Toledo and Napavine. We will be removing the general summary information and adding language to incorporate and adopt these specific plans by reference in the LC Capital Facilities element.

Commissioner Averill stated we are not rewriting the LC Comp Plan, we are incorporating the six new plans into the document. He pointed out the other schools are not delinquent, but there is no growth within those schools, so there is no need to do a plan. The last issue is availability for financing, one of the issues is to find a means for financing. Impact fees are suggested in all six of the schools Capital Facility Plans. Just because it is in these plans doesn't mean we will set these fees.

Ms. Kincaid stated the next item in the amendment are the rezone requests, property owners may petition for a change of zoning on their lands. There are 36 applications from 2008 that the BOCC remanded back for review to the Planning Commission. In the Agricultural Resource Land Hearing we had to table some of these re-zones. Applications 19, 31, 33, and 96 have no decision; they are tabled with others until the invalidity order is lifted. Two of the applications were withdrawn, applications 89 and 91, that was new from 2008. We are recommending that two be approved for re-zone application, number 13 and 63. The Planning Commission held workshops and a public hearing on all of these re-zones, except for application 156. Application 156 had by the nature of the request, a special process. It had its own public hearing. If approved, the resolution would amend land use and Ordinance 1210 would amend the zoning maps and application 13 would re-zone approximately 155 acres around Crego Hill. This land would be re-zoned from RDD 20 to RDD-10. Application 63 would re-zone approximately 18 acres. This land would be re-zoned from RDD-20 to RDD-5.

Commissioner Averill stated the county has been under moratorium because of ARL's and which lands should be in and which should be out. Unfortunately because of that moratorium anyone who wants to change designation that is in that area are unable to do so because we are still before the GMHB and subject

to court action on those issues. So, these re-zones are all outside of that area of moratorium. Predominately these are changes from one level of RDD to another. These re-zone requests go through a big process. We have a Planning Commission that meets and reviews these thoroughly according to the rules we have to abide by in the GMA. Every application has been looked at, questioned and resolved by the Planning Commission before it comes to the BOCC for recommendations.

Chairman Grose asked if in 2008 we had 156 applications, if not, how many did we have?

Ms. Kincaid stated we did have 156 applications.

Chairman Grose asked how many were withdrawn.

Ms. Kincaid stated they went through all 156 files. She noted there was a table showing all properties and what was done with each one. She does not have the exact numbers.

Chairman Grose asked if there were any questions from the public.

Richard Battin, Winlock asked on the auctioneering in section G, where it says urban services are not required. He is curious about the number of employees and customers and the water and sewage requirements for that facility.

Ms. Kincaid stated municipal sewers service is under the GMA urban service. We will not be considering a special use permit for an auctioneering facility that would have the number of employees that would require that urban level sewer service.

Mr. Battin stated there are a huge number of customers at their current site. It should have some potential for increased use.

Chairman Grose asked if there were any other questions. There were none. He closed the question and answer portion and opened the first hearing.

Ms. Kincaid asked that her previous comments be entered into the record. She summarized that this resolution is a mapping amendment for Centralia UGA boundary; changes land use of about 80 acres from urban lands to RDD-20; it revises map figures 42a, 43, and 417a; it is a text amendment to the land use element in the Comp Plan adding policy; is a text amendment to the Capital Facility and Utility element adding language to adopt specific school Capital Facility Plans; and re-zones requests.

Scott Fenter, Onalaska School District, stated he had a chance to review the Capital Facilities Plan and asked the Board to adopt this. Their plan was approved by the school board earlier.

Sharon Bower, Toledo School District asked the Board to accept the plan for various reasons. Their School Board has gone to great lengths over the last four years to design these plans. It is a proactive way for them to be able to plan for growth and for expensive and extensive Capital Facility Projects. We have had developers buy up large parcels of land in Toledo. It seems they are waiting for

the opportunity to build homes. We are asking for the BOCC's support in adopting this plan.

Dick Conely, Winlock School District, stated he has met with City and developers for an estimated 550 homes that are planned for the Winlock area. He would appreciate the consideration for the Capital Facility Plan. We have two school campuses in Winlock, so the area for growth is limited.

Mary Lou Bisset, Chehalis School District Capital Facility Plan has been adopted by their school board. We request the BOCC includes their plan into the LC Comp Plan.

Steve Bodnar, Centralia School District stated the adoption of a Capital Facility Plan is a plan for growth in our school facilities. He gave a snapshot of Centralia current enrollment of over 3,000 students. We use this plan as a forecast. We are looking at about 432 new K-12 students up to the year 2015. If this number is combined with the current un-housed students, ones that are in portable classrooms, that would be a total of 793 students that need to be housed by the year 2015. He gave an overview of classrooms they plan to add. He asked the BOCC to incorporate the recommendations from the Planning Commission and staff to adopt the Centralia School Districts Capital Facility Plan into the LC Comp Plan.

Doug Skinner, Napavine School District as an individual he expressed gratitude to the Board for doing this. As a representative of the school district he asked the Board to include their Capital Facility Plan into the LC Comp Plan.

Marnie Allen, ESD 112 stated she works with school districts to plan their Capital Facility Plans. School district Capital Facility Plans are prepared to comply with the GMA. Each of these districts has a plan identifying needs. The plans include a six year and a twenty year student enrollment forecast. We use the enrollment forecast in the existing capacity to evaluate how many new schools we need to build. The plan identifies the cost to build those schools and how those costs will be paid for. We support and appreciate the BOCC support of schools and planning for school facilities.

Chairman Grose expressed appreciation to the schools that did a Capital Facility Plan. He appreciates the effort of the School Districts.

Notice

Chairman Grose noted that the Adna High School Football Team made it to the meeting. He noted that we would take a break from the hearing and go back to the Notice agenda

Commissioner Schulte made a motion to approve Notice Item one. **Commissioner Averill** seconded the motion. **Chairman Grose** read the proclamation into the record.

1. Proclamation: Honoring the 2009 Adna High School Varsity Football Team.

Commissioner Averill pointed out Judge Lawler, a resident of Adna was in the audience to celebrate the teams great success. He noted that he has been in the position of the coaches, he knows the challenge you have, the ability to prepare a team for a state wide championship. This is a great accomplishment to the coaches and the young men. Both teams that went to the state 2B Football Finals were undefeated. The team stuck with the coaches. He congratulated the team. The achievement of being part of a team builds things that will last a lifetime. You will benefit from this experience.

Chairman Grose stated that he has been a coach himself and a high school athlete, High school athletics is one of the things that kept him in high school. It was a pleasure to write this proclamation. Take heart in what we have said. It is an honor to do this proclamation and we are proud of you.

Coach, K.C. Johnson thanked the Commissioners. He stated it is a pleasure to coach these young men. We had an amazing year.

Motion carried 3-0

Chairman Grose returned to the Hearing in progress.

Gene Butler, Chehalis, WA stated he feels the notice did not clearly let the public know the County's intent. The proposal is for a use not authorized in such zones. The proposed amendment to the LC Comp Plan is to permit industrial uses to be located near a major transportation corridor. By definition, an 80 to a 248 acre yard is not standard rural development. It can qualify only if it meets the requirements of the GMA for more intensive development. The LC Comp Plan proposal cited it implies a regional commercial industrial development. More intensive development for commercial industrial purposes is authorized under the code, if they are existing and logical outer boundaries are established. This proposal is not for existing development. It is to authorize new development; such is authorized under the GMA only if it is small scale. It cannot be said that an 80 to 248 acre facility, termed a regional facility, and larger than anything of its kind existing in the county, is small scale. Portions of the GMA most nearly compatible with the proposed application for an auctioneering facility are found in the industrial site at the Centralia coal mine site. It is suggested that the County explore these possibilities rather than attempting to authorize the use of an area that does not qualify under the GMA. The County also proposes to consider a number of re-zones. He believes the notice is also inadequate on these proposals as it does not identify the current zoning and the new zoning. They failed to state the locations of the lands involved. He has reviewed the proposals and agrees with most of the recommendations; he does not feel the public has been properly informed. He submitted a memo on his remarks.

Richard Battin, Winlock, WA commented on the proposed auction site. Such uses shall be sited to maintain the rural character. He submitted three pictures for review. The 1st shows the land being discussed; it is considered viable pasture

land. The 2nd picture shows hay being fed to cows in the pasture. The nearest freeway access to this property is exit 68. Traffic must travel on a narrow road to this site. The 3rd picture shows standing water. He thinks that at the very least a highly qualified hydrologist should document that there is no subsurface hydrology connection between this area and Olequa Creek. We should verify that the contaminated runoff from this site will not affect ground water in this sensitive area.

Scott Lennon, Ritchie Bros, Canada stated regarding Mr. Battin's comments, these facilities are 3rd generation facilities. We develop our sites with permanent bathroom facilities. During events we will supplement sewer with port a potties. This will not affect the sewer. Site specific, traffic concerns, this potential site will have direct access through an easement on the north side of the fueling station that is on Avery Road. Traffic to the site will not impact the county roads. He submitted a case study on a very similar and responsible use to that of what they are proposing in Lewis County, and how it relates to rural development. In the written document there is justification of why this use is compatible and meets the true spirit of the GMA. This proposed use is very similar to agricultural equipment sales, equestrian facilities, fairgrounds, racetracks and rural airports, which are all considered rural by the GMA. Lewis County has a significant timber, mining, construction, and agricultural working land, there is an active need in this county for this outlet in which equipment serving these working rural areas can be bought and sold. Much of the equipment sold at a regional auction facility is equipment used in the managing, harvesting and mining of the natural resources in lands. Having an auctioneering facility in close proximity to these potential sellers and buyers of the equipment is considered consistent with the rural character, not only of Lewis County but the State of Washington. The current facility in Maytown, WA is independent of any urban services. It has its own well and septic. It does not encourage urban sprawl.

Steve Bullock, Bellevue, WA He is a member of the American Institute of Certified Planners, and is representing Ritchie Brothers. He believes the proposed regional auctioneer facility will be a value to Lewis County. The question is where is it best located? Should it be located in an urban area or rural area? These facilities are typically on very large lots. These sites are low intensity in their development. Roughly 2% of the site or less is developed in structures and buildings and the remaining 98% is an open yard for storm water facilities, display areas, event parking and is left open. No urban services are required to run this facility. Storm water is handled on site. We feel these sites fit best in rural areas. Less than 2% of the land zoned in LC is for urban areas. If we put an 80 acre facility inside the limited urban area, it would be wasteful. If the Commissioners choose to allow this in the rural area, the special use permit process is an appropriate way to deal with this use. Lewis County didn't take the same approach to the GMA as a lot of other counties; they deal with them through the special use process. Any potentially adverse impacts would be mitigated with a site development review associated with the special use permit process.

Commissioner Averill stated this is not a specific application we are talking about; this is a placeholder in our plan so we can eventually discuss this. If this does come about we will go through an extensive process to get all the approvals.

Ms. Kincaid stated this is correct. We are not discussing any unit of land; we are discussing a policy to the LC Development Regulation for a proposed new use. We don't have a site specific for this use. If this is approved, we can go through the special use process.

Margaret Archer, Law Office of Gordon, Thomas, Honeywell representing Ritchie Brothers, stated she is speaking in favor of the amendments to the LC Comp Plan and zoning regulations to authorize an auction facility through a special use permit process. She noted that if you can anticipate all possible uses in advance you could have one comprehensive plan, but this isn't the case. The GMA is not meant to be a rigid rule to apply to all counties in the same way. There was an understanding that you cannot plan for urban or rural development without looking at the specific lands you are talking about and the specific community you are planning for. She thinks it is important to be smart and acknowledged that things change. You need to look at opportunities; this is one that can be done through an amendment. This is a good thing for economic development. Ritchie Brothers is a good business, and they want to be a good neighbor. Where should something like this be placed? It is not a high intensity use facility, it is low intensity use. They only do auctions about four times a year. Lewis County is compatible with the things that they sell. She feels the special use permit is sensible and an intelligent way to handle this type of use. Critical areas are not endangered. This is not a site specific proposal. Once Ritchie Brothers submits a plan, there will be extensive hearings, a SEPA process, and a lot of opportunity for local entities to discuss the plan. This is a good opportunity for Lewis County

Chairman Grose closed the hearing and opened the first hearing for amendment on the LC Comp Plan.

Ms. Kincaid asked that her previous comments for Ordinance 1210 be adopted into the record. She noted that Ordinance 1210 makes map amendments to Lewis County's official zoning map for the Centralia UGA boundary. It removes approximately 80 acres of urban land and rezones it RDD-20. It will also re-zone two properties from RDD-20 to RDD-10 and another 18.5 acres that is currently zoned RDD-20 to RDD-5. It will amend LCC, adding a new special use for auction facilities; it adds a new definition for auctioneering and it adds a new use to the matrix "Rural Area Land Use Zoning Summary".

Commissioner Averill noted that it looks like we are doing the same thing twice, we are, the problem is we have a resolution which deals with portions of the LC Comp Plan and Ordinance 1210 that has implementing regulations into it. If you testified previously, you may want to ask that previous comments be adopted for Ordinance 1210.

Chairman Grose asked if anyone wants to testify on Ordinance 1210, please come forward.

Dick Larmon, EDC stated he supports both Resolution 09-404 and Ordinance 1210. He feels the proposed amendments are consistent with the new and changing economic development scene in Lewis County. We have the last three remaining, for several hundred miles, undeveloped freeway accesses in Lewis County. The proposed Ritchie Brothers site, being right off of one exit and fronting the freeway is a perfect example of what we are going to see in the future in terms of development. Transportation is a very important link in economic development. Second, the kind of activity Ritchie Brothers does exporting goods and importing dollars is the best lowest impact economic development tool we can have in any community.

Gene Butler, Chehalis pointed out that the LC Comp Plan authorized a very wide set of business ventures to occur. The Ordinance authorizes a very narrow set of business ventures to occur. It seems you are being asked to authorize a Comp Plan based upon the narrow set of issues that are dealt with on the specific ordinance. He thinks this is a mistake and that it should be considered separately. Even then he feels that the ordinance is authorizing a use that is not appropriate for a rural use zone under the GMA, but is still required to meet the more intense use aspects of the rural use zoning scheme. That kind of more intense use appears to be authorized in industrial zones in the GMA. He thinks the Board should be considering this and not just talking about what may happen in a freeway commercial type area. This particular proposal is outside of the freeway commercial area. This is a main concern for him, if they had it in the area that would be confined to freeway commercial, his objection would be much reduced. His feeling is this is outside of that area and should be considered separately and this is an inappropriate zoning as well and an inappropriate Comp Plan.

Scott Fenter, Ritchie Brothers, Canada asked that his previous comments be applied to Ordinance 1210.

Steve Bullock, Ritchie Brothers asked that his previous comments be applied to Ordinance 1210.

Margaret Archer, Ritchie Brothers asked that her prior comments be adopted to support Ordinance 1210. The proposal should have policies goals, and guidelines. It will allow the county more flexibility. She feels there is a misunderstanding of use; it is a low intensity use that requires a large amount of acreage. She appreciates the support that has been given to them. She feels this is a good opportunity for Lewis County.

Richard Battin asked that his previous comments submitted on Ordinance 1210. There are restrictions on billboards along the freeway. Now there will be a huge sign on the freeway in LC.

Ms. Kincaid asked the Board to consider the limited areas of more intense rural development. These special areas, that the County zones as freeway commercial and crossroads commercial at those interchanges, this use is not consistent with what is allowed. The function of freeway commercial is to serve motorists and

residential gas type mini marts. The area is very small when the GMA was adopted and the County completed its Comp Plan maps. The boundary around those areas, for this special LAMRID, drew a line around the existing structures that were there at that time. There isn't an opportunity for a lot of area that isn't developed in those zones, should it even be consistent with the zoning regulations in place.

Chairman Grose closed the hearing on Ordinance 1210 and opened a workshop to consider these items.

Commissioner Averill moved to approve Resolution 09-404 and Ordinance 1210.

Commissioner Schulte seconded the motion. Karri Muir, Clerk of the Board, read the items into the record.

Chairman Grose stated we are in a catch 22 situation, an auctioneer facility is not compatible with urban use or rural use, the only other alternative is air space. This is the dilemma we have...where is it most compatible, in a rural or urban setting? He feels a rural setting is more compatible.

Commissioner Averill thanked everyone who took the time to express their views on these subjects. Public input is an important part of Government, giving citizen's opportunity to talk.

Four areas that are covered in Resolution 09-404 and Ordinance 1210 are:

- 1st Capital Facility Plans for six school districts are being adopted by reference as part of LC Comp Plan.
- 2nd Land use element, talking about a change in the regulation and is not site specific. It does look at land use element in terms of another type of facility that we might use. He accepts comments made in opposition and respectfully disagrees with them. Lewis County should look at this opportunity. It opens the door for economic development.
- 3rd UGA in Centralia, this matter was settled out of court to remove part of the UGA adjacent to the Port. This is a good agreement, we all worked together to come up with a solution.
- 4th Revised zoning for 63 applications. The Planning Commission has gone through and made recommendations to the Board. We are approving these recommendations. There is a 3rd in that group that he recommends we take out and remand back to the Planning Commission, which is application #156.

Commissioner Averill moved to remand application #156 back to the Planning Commission. **Commissioner Schulte** seconded the motion.

Ms. Kincaid noted that application #156 is not in the resolution for approval.

Motion carried 3-0

Commissioner Averill made a motion to approve the amendments to the LC Comp Plan. **Commissioner Schulte** seconded the motion.

Motion carried 3-0 as an amendment to the LC Comp Plan.

Motion carried for Resolution No. 09-404

Motion carried for Ordinance No. 1210

Chairman Grose stated the public testimony and the Planning Commission recommendations have been done in open meetings. He Praised the Planning Commission on their well done job. They take their job seriously. Their recommendations that come to us are taken seriously and we feel the process has been followed.

There being no further business, the Commissioners' public meeting adjourned at 11:58 am on December 14, 2009. The next public meeting will be held Monday, December 21, 2009, at 10:00 a.m.

Please note that minutes from the Board of County Commissioners' meetings are not verbatim. A recording of the meeting may be purchased at the Commissioners' office.

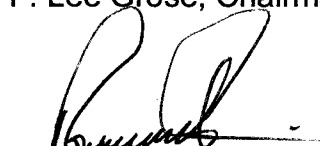
BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

ATTEST:




Clerk of the Board
Lewis County Commissioners


F. Lee Grose, Chairman


Ron Averill, Commissioner


P.W. Schulte, Commissioner